

CLASS TITLE: **LEGAL COUNSEL (MHRH)**

Class Code: 02993500

Pay Grade: 36A

EO: B

CLASS DEFINITION:

GENERAL STATEMENT OF DUTIES: To perform specialized legal research and provide legal services to the various divisions or agencies within the Department of Mental Health, Retardation and Hospitals in the areas of psychiatric, medical and administrative hearings and in labor arbitration's; and to do related work as required.

SUPERVISION RECEIVED: Works under the general supervision of a superior with latitude for the exercise of initiative and independent legal judgement.

SUPERVISION EXERCISED: As required, plans, organizes, coordinates, directs and reviews the work of a staff assigned to assist.

ILLUSTRATIVE EXAMPLES OF WORK PERFORMED:

To perform specialized legal research and provide legal services to the various divisions or agencies within the Department of Mental Health, Retardation and Hospitals in the areas of psychiatric, medical and administrative hearings and in labor arbitration's.

In conjunction with the Director, Executive Director, and Assistant Director of Legal Services (MHRH), to represent the Department in court at civil commitment hearings, competency reviews and petitions for instructions.

As directed, to cooperate with the Attorney General's Office in preparing cases referred to that office for trial; to prepare the legal research and evidence necessary for the proper trial of such cases.

As directed, to represent the Department in administrative hearings, labor arbitration hearings, Equal Employment Opportunity Commission hearings and Division of employment Security hearings.

As directed, to draft legislation concerning mental health, mental retardation and substance abuse and amendments thereof.

To prepare and/or review Department contracts and leases.

To keep abreast of new federal and state laws which relate to the Department's legal obligations; to alert and advise the departmental officials on the Department as to the legal and administrative effects of such legislation.

To provide in-service training on legal issues to employees of the Department.

To do related work as required.

REQUIRED QUALIFICATIONS FOR APPOINTMENT:

KNOWLEDGES, SKILLS AND CAPACITIES: A thorough knowledge of federal and state laws relating to mental health, mental retardation, substance abuse, equal employment opportunity (EEO) and labor; a thorough knowledge of the principles, practices and theory of the practice of law and the ability to employ this knowledge in providing legal advice and service; the ability to analyze, appraise and organize facts, evidence and precedents concerned in complex and difficult cases and to present such material in clear and logical form for oral or written presentations as briefs, opinions or decisions; the ability to draft legal instruments and legislation; and related capacities and abilities.

EDUCATION AND EXPERIENCE:

Education: Such as may have been gained through: graduation from and accredited law school; and

Experience: Such as may have been gained through: employment as a practicing attorney in a responsible position.

Or, any combination of education and experience that shall be substantially equivalent to the above education and experience.

SPECIAL REQUIREMENT: Must be a member of the Rhode Island Bar Association and must maintain such membership as a condition of employment.

Class Created: August 28, 1988

Editorial Review: 3/15/03